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*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

No. 08-01789 (SMB)

Plaintiff-Applicant,

SIPA LIQUIDATION

v.

(Substantively Consolidated)

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Adv. Pro. No. 10-05391 (SMB)

Plaintiff,

v.

THE SANKIN FAMILY LLC,

JEANNE SANKIN MARITAL TRUST,

THE JULIUS SANKIN REVOCABLE TRUST,

JEANNE SANKIN, individually and as Trustee of

The Julius Sankin Revocable Trust

IRVING P. COHEN, as the Trustee of the Jeanne Sankin Marital Trust and The Julius Sankin Revocable Trust,

MARILYN S. TUSHMAN, and

ANDREW SANKIN,

Defendants.

**AMENDED STIPULATION EXTENDING PLAINTIFF'S TIME TO SUBSTITUTE PARTIES FOR DECEASED DEFENDANT**

WHEREAS, on November 30, 2010, Irving H. Picard (the "Trustee"), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC, under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, filed and served a complaint against the above-captioned defendants (the "Defendants"), including Jeanne Sankin ("Decedent");

WHEREAS, counsel for the Defendants informed the Trustee that Decedent died in Palm Beach, Florida on April 19, 2013;

WHEREAS, counsel for the Defendants filed a suggestion of death for Decedent in the above-captioned adversary proceeding (the "Action") with the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") on January 23, 2014 (Dkt. 27);

WHEREAS, Decedent's estate has not entered into probate as of the date hereof; and

WHEREAS, no administrator or personal representative of Decedent's estate has been appointed as of the date hereof.

WHEREAS, on January 31, 2014, the parties agreed to a prior extension of time for the Trustee, pursuant to Fed. R. Civ. P. 25(a), to move to substitute the parties in the Action from April 23, 2014 to July 22, 2014 (ECF No. 28).

WHEREAS, on July 17, 2014, the parties agreed to a prior extension of time for the Trustee, pursuant to Fed. R. Civ. P. 25(a), to move to substitute the parties in the Action from July 22, 2014 to October 24, 2014 (ECF No. 32).

WHEREAS, the parties have agreed to a further extension of time for the Trustee, pursuant to Fed. R. Civ. P. 25(a), to move to substitute the parties in the Action.

NOW THEREFORE, the Trustee and the Defendants, each by and through their respective undersigned counsel, hereby stipulate and agree as follows:

1. Counsel for the Defendants expressly agrees to notify the Trustee in writing of the entry of the estate of Decedent into probate and the issuance of any letters testamentary for the administration of Decedent's estate within five (5) business days of entry of Decedent's estate into probate.

2. Counsel for the Defendants expressly agrees to extend the deadline for the Trustee, pursuant to Fed. R. Civ. P. 25(a), to move to substitute the parties in the Action from October 24, 2014 to January 23, 2015, without prejudice to (a) the rights of the parties to agree to a further extension or (b) the Trustee's right to seek appropriate relief to further extend absent agreement of the parties .

3. From the date of substitution, the newly named Defendants will have thirty (30) days to answer or otherwise respond to the Complaint in the above-captioned proceedings.

4. The purpose of this amended stipulation provide sufficient time for the Trustee to substitute proper parties in the Action for Decedent. Nothing in this stipulation is a waiver of the Trustee's right to request from the Bankruptcy Court a further extension of time to substitute parties in the Action for Decedent and/or the Defendants' right to object to any such request.

5. Except as expressly set forth herein, the parties to this stipulation reserve all rights and defenses they may have, and entry into this stipulation shall not impair or otherwise affect such rights and defenses, including without limitation any defenses based on lack of jurisdiction.

6. This stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this stipulation shall be deemed an original.

Dated as of: October 24, 2014

**BAKER & HOSTETLER LLP**

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SO ORDERED

/s/ STUART M. BERNSTEIN  
HON. STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE

Dated: October 24<sup>th</sup>, 2014  
New York, New York